

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

BRISTOL BAY ECONOMIC
DEVELOPMENT CORPORATION,
et al.,

Plaintiffs,

v.

CHRIS HLADICK,
U.S. ENVIRONMENTAL
PROTECTION AGENCY, *et al.*,

Defendants.

Case No. 3:19-cv-00265-SLG

(Consolidated)

**ORDER RE JOINT REQUEST FOR
CONSOLIDATED ORAL
ARGUMENT ON BOTH MOTION
TO DISMISS AND SUMMARY
JUDGMENT**

SALMONSTATE, *et al.*,

Plaintiffs,

v.

CHRIS HLADICK,
U.S. ENVIRONMENTAL
PROTECTION AGENCY, *et al.*,

Defendants.

Case No. 3:19-cv-00267-SLG

TROUT UNLIMITED,

Plaintiff,

v.

U.S. ENVIRONMENTAL
PROTECTION AGENCY, *et al.*,

Defendants.

Case No. 3:19-cv-00268-SLG

Before the Court at Docket 43 is Plaintiffs' Joint Request for Consolidated Oral Argument on Both Motion to Dismiss and Summary Judgment. Defendants' Response is at Docket 45.

Briefing on Defendants' Motion to Dismiss was completed on January 21, 2020.¹ Pursuant to the Revised Briefing Schedule, briefing on the merits will not be completed until late April or early May, 2020.² Due to the lengthy period between completion of the briefing for these two motions, and due to the fact that an order on the Motion to Dismiss could be dispositive, Defendants contend that the "Court should hold that argument [on the Motion to Dismiss] soon, rather than waiting until after the merits briefing and submission of the Joint Appendix."³ The Court agrees, and finds that it would be prudent to hold separate oral arguments on the Motion to Dismiss and, as necessary, on the merits of the case.

In light of the foregoing, Plaintiffs' Joint Request for Consolidated Oral Argument is GRANTED in part and DENIED in part. The Court hereby schedules oral argument on Defendant's Motion to Dismiss for **Monday, March 2, 2020 at 10:00 a.m. in Anchorage Courtroom 2**. Plaintiffs and Defendants will each have

¹ Docket 42 (Defendants' Reply to Plaintiffs' Response in Opposition to Motion to Dismiss).

² Docket 41 (providing that Joint Appendix will be filed 96 days after Administrative Record, filed on January 24, 2020).

³ Docket 45 at 2–3. Defendants also note that Plaintiffs' request for oral argument on the merits was premature under the Local Rules. Docket 45 at 3; see L. R. Civ. P. 7.1(f) (requiring request for oral argument to occur in original motion, in response, or within "5 days of the last filing pertaining to a motion"); see also Docket 41 (allowing request for oral argument on merits to be filed "7 days after Plaintiffs' Joint Reply Brief").

up to 30 minutes to make their arguments.⁴

Briefing on the merits will continue pursuant to the Revised Briefing Schedule at Docket 41. Any party may request oral argument on the merits when appropriate under Local Rule 7.1(f) and the briefing schedule for this case.

DATED this 31st day of January, 2020 at Anchorage, Alaska.

/s/ Sharon L. Gleason
UNITED STATES DISTRICT JUDGE

⁴ Plaintiffs shall agree among themselves how to divide their time. In the event Plaintiffs cannot agree, then Plaintiffs in each case shall have 10 minutes, for a total of 30 minutes.